



## Opinion 547

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**Opinion Title:** 03/31/2011 PUBLISHED Cyprus Credit Union v. Dehlin, 09-2176, Judge Mosier .

**Body:** In deciding the dischargeability of a debt arising from a "stated income loan" under 11 U.S.C. § 523(a)(2)(B), the Court found that the evidence presented confirmed the Debtors' statements that their income listed on the loan application was correct and the creditor failed to carry its burden of proof. Further, an inadvertent mistake on a confusing form was not sufficient to prove the Debtors had an intent to deceive the creditor. Finally, a debtor's representation cannot be the sole basis upon which a creditor can reasonably rely because a creditor has a duty to ensure some basis exists for relying upon the debtor's representations. Self-developed procedures that excuse reasonable reliance cannot insulate a creditor's claim from discharge.

**File:**  [547.pdf](#) [1]

**Judge:** [Chief Judge R. Kimball Mosier](#) [2]

**Date:** Thursday, March 31, 2011

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